

MESSAGE NO: 5021304 MESSAGE DATE: 01/21/2015

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: REV-Revocation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: 79 FR 78037 FR CITE DATE: 12/29/2014

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-966

EFFECTIVE DATE: 11/20/2014 COURT CASE #: 11-00080

PERIOD OF REVIEW: 03/03/2011 TO 11/20/2014

PERIOD COVERED: 03/03/2011 TO 11/20/2014

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Revocation of countervailing duty order on Drill Pipe from the People's Republic of China (C-570-966)

1. Commerce has revoked the countervailing duty order on drill pipe from the People's Republic of China (C-570-966), but is instructing U.S. Customs and Border Protection (CBP) to continue the suspension of liquidation of entries of drill pipe at a 0.00 percent cash deposit rate as specified below.

2. Commerce revoked the countervailing duty order on drill pipe from the People's Republic of China as a result of the United States Court of International Trade's (CIT) final judgment in Downhole Pipe & Equipment, LP v. United States, CIT No. 11-00080, Slip Op. 14-130 (11/10/2014) (Downhole Pipe). This revocation was published in the Federal Register on 12/29/2014, 79 FR 78037.

3. The effective date of the revocation is 11/20/2014, which is ten days after the CIT's decision, in accordance with section 516A of the Tariff Act of 1930, as amended.

4. Accordingly, CBP is directed to continue suspension of liquidation (for the reasons described in paragraph 5 below) but release any bond or other security and refund any cash deposits paid on subject merchandise from the People's Republic of China which were entered, or withdrawn from warehouse, for consumption on or after 03/03/2011, that remain unliquidated and/or were not deemed liquidated as of 11/20/2014.

5. In accordance with the decision of the United States Court of Appeals for the Federal Circuit (Federal Circuit) in Timken Co. v. United States, 893 F.2d 337, 341 (Fed. Cir. 1990), CBP is directed to continue to suspend liquidation of all entries of subject merchandise from the People's Republic of China which were entered, or withdrawn from warehouse, for consumption on or after 03/03/2011 that remain unliquidated and/or were not deemed liquidated as of 11/20/2014, at a zero cash deposit rate during the pendency of the appeals process. In the event that the CIT's final judgment in Downhole Pipe is not appealed, or if appealed and upheld by the Federal Circuit, Commerce will instruct CBP to terminate the suspension of liquidation and to liquidate those entries of subject merchandise without regard to countervailing duties. If the CIT's final judgment is

appealed and not upheld, Commerce will issue liquidation instructions when appropriate.

6. If there are any questions regarding this matter by CBP officers, the importing public or interested parties, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OIII:KJ.).

7. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party